

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**WHEELER ZAMICIELI,**

**Plaintiff**

**v.**

**CITY OF PHILADELPHIA, et al.,**

**Defendants.**

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**Civil Action  
No. 12-3200**

**ORDER**

AND NOW, this                      day of                      , 2015, upon consideration of Plaintiff's Motion for an Order compelling discovery responses, and Defendants response hereto, it is hereby ORDERED that said motion is DENIED and Municipal Defendants are given 30 days to respond to the outstanding discovery requests.

BY THE COURT:

\_\_\_\_\_  
J.

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<b>WHEELER ZAMICIELI,</b>	:	
	:	
<b>Plaintiff</b>	:	
	:	
<b>v.</b>	:	<b>Civil Action</b>
	:	<b>No. 12-3200</b>
<b>CITY OF PHILADELPHIA, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

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**DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION TO COMPEL DISCOVERY**

Defendants hereby move this Honorable Court to DENY Plaintiffs Motion to Compel as defense counsel needs an additional 30-days to respond to the outstanding discovery requests.

**WHEREFORE**, Defendants respectfully pray this Honorable Court to grant the municipal defendants an additional 30 days.

Respectfully Submitted,

Date: October 15, 2015

/s/ Brock J. Atkins  
Brock J. Atkins  
Deputy City Solicitor  
City of Philadelphia Law Department  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19102  
(215) 683-5446  
Attorney for Defendants

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<b>Plaintiff</b>	:	
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	:	
<b>Defendants.</b>	:	

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**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' REPOSE IN  
OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL**

As Mr. Mavroudis, previous counsel representing the municipal defendants, has changed litigation units within the City of Philadelphia Law Department, present counsel inherited this case from him. I was operating under the mistaken belief that because this case was transferred to Delaware, all proceedings were suspended until the case was transferred back to the Eastern District of PA. I recognize the mistake and apologize for any inconvenience to the Court. I will answer Plaintiff's outstanding discovery requests promptly but need an additional 30-days to prepare the responses. I am to wed my fiancé on Saturday, October 17, and will then not return to the City of Philadelphia until November 1st because of our honeymoon. For that reason, I request an additional 30-days to fully answer Plaintiff's discovery requests.

I need this additional time so that I can meet with the three defendant officers and prepare discovery responses. As I am sure the Court is aware, because of former Detective Dove's current pending criminal status, adequate time will be needed to locate him and fully prepare his responses.

Respectfully Submitted,

Date: October 15, 2015

/s/ Brock J. Atkins  
Brock J. Atkins  
Deputy City Solicitor  
City of Philadelphia Law Department  
1515 Arch Street, 14<sup>th</sup> Floor  
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Attorney for Defendants

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	:	
<b>Defendants.</b>	:	

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 15, 2015, the foregoing Defendants' Response to Plaintiffs' Motion to Compel, was served upon the Court, plaintiffs and defendants electronically, as follows:

**TO:** Wheeler Zamichieli  
Inst.# 67271-066  
Federal Detention Center  
P.O. Box 562  
Philadelphia, PA 19106

Dated: October 15, 2015

/s/ Brock J. Atkins  
**BROCK J. ATKINS**  
Deputy City Solicitor